

28 JUL 2009



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NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY- X100B
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In re Application of
CHOO, Qui-Lim
Application No.: 10/580,050
PCT No.: PCT/US2004/039333
Int. Filing Date: 19 November 2004
Priority Date: 19 November 2003
Attorney Docket No.: PP021454.0004
For: METHODS AND REAGENTS FOR
TREATING, PREVENTING AND
DIAGNOSING BUNYAVIRUS
INFECTON

DECISION ON

PETITION

UNDER 37 CFR 1.181

This decision is in response to applicant's Petition Under 37 CFR 1.181 to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office on 27 May 2009.

BACKGROUND

On 18 February 2009, the Office mailed Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures (Form PCT/DO/EO/922). The notice set a two month period for reply with extensions of time available under 37 CFR 1.136(a).

On 20 March 2009, applicants responded to the Notice.

On 14 May 2009, the Office mailed a Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Sequence Listing requirement.

On 27 May 2009, applicants filed this petition to withdraw the holding of abandonment.

DISCUSSION

The Notification of Abandonment mailed 14 May 2009, issued in error and is hereby vacated. The Office is in receipt of applicants' response to the notice to comply with the sequence listing requirements and the CRF was entered.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/905) mailed 14 May 2009 is
VACATED.

This application is being forwarded to the National Stage Processing Branch of the Office of Patent Application Processing for further processing in accordance with this decision.

/Erin P. Thomson/

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